

**46 to 48 Power Street, and 113 to 125 Parliament Street -
Zoning Amendment Application - Preliminary Report**

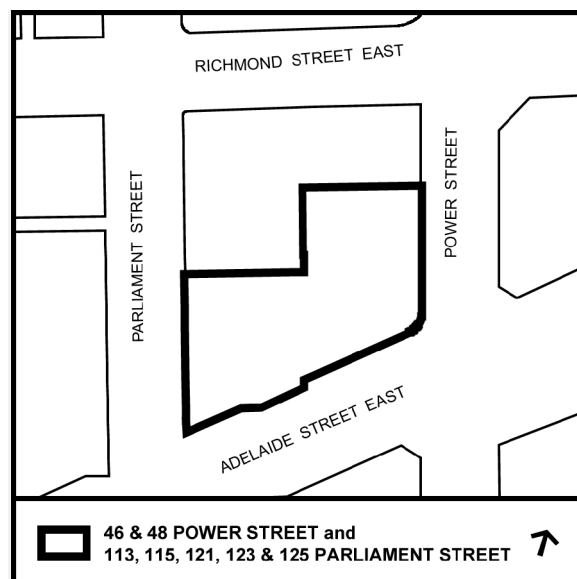
Date:	April 23, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Numbers:	13 181685 STE 28 OZ (Zoning By-law Amendment) 13 181698 STE 28 RH (Rental Housing Demolition and Conversion)

SUMMARY

A Zoning Amendment application has been submitted for 46 to 48 Power Street and 113 to 125 Parliament Street to permit a 21-storey mixed use building consisting of a 6-storey base building and a 15-storey tower. The subject site is located within the block bordered by Power Street to the east, Adelaide Street East to the south, Parliament Street to the west, and Richmond Street East to the north. As the building at 125 Parliament Street contains 6 or more rental units, the applicant has submitted a rental housing demolition and conversion application under Section 111 of the *City of Toronto Act*.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A Final Report and public meeting under the *Planning Act* to consider the application is targeted for early 2015, provided that the issues raised in this report and through the review of the applications are satisfactorily resolved, and that any requested



information is submitted by the applicant in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 46 to 48 Power Street and 113 to 125 Parliament Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

On November 2, 2012, a pre-application consultation meeting was held with the applicant to discuss preliminary development options and complete application submission requirements.

ISSUE BACKGROUND

Original Proposal

The original application was submitted on June 10, 2013, proposing a 22-storey building containing a 6-storey mixed use base and a 16-storey residential tower. The overall height of the building was 76.4 metres including the mechanical penthouse. The proposal included a total of 431 residential units, 1,079.8 square metres of private amenity space, 204 vehicle parking spaces, and 439 bicycle parking spaces.

On July 26, 2013, the application was held in abeyance at the request of the applicant.

Revised Proposal

A revised application was submitted on April 4, 2014, along with a request to process the application. The application now proposes a 21-storey building with a 6-storey mixed use base with retail uses on the ground floor and residential uses on subsequent floors, and a 15-storey residential tower. Stepbacks of approximately 4.3 metres on the Parliament Street frontage, 2.0 metres on the Power Street frontage and 4.3 metres from the north property line are proposed on the 7th storey. A further stepback of approximately of 12.3 metres on the Parliament Street frontage is proposed on the 20th storey. No stepbacks are proposed along the Adelaide Street East frontage. The overall

height of the building is 72.7 metres including the mechanical penthouse (refer to Attachment 2a-d: Elevations).

The application proposes a total of 446 residential units consisting of: 5 bachelor units (1.1%); 269 one bedroom units (60.3%) (of which 12 are replacement rental units); 136 two bedroom units (30.5%); and 36 three bedroom units (8.1%). The development will have a total gross floor area of 29,499 square metres, with 28,133 square metres of residential gross floor area, and 1,366 square metres of retail gross floor area. The proposed density is 11.5 times the lot area. The residential tower is proposed to have an approximate floor plate of 1,397 square metres.

Indoor amenity space of 653 square metres and outdoor amenity space of 419 square metres are proposed on the 7th storey of the building.

Pedestrian access to the residential lobby is located on Adelaide Street East, and pedestrian accesses to the retail space are located on Parliament Street, Adelaide Street East and Power Street. A portion of the subject lands along the Adelaide Street East frontage is proposed to be conveyed as part of the City's right-of-way (refer to Attachment 1: Site Plan).

Vehicular access is proposed off of Power Street. The application proposes a 3 level underground parking garage that accommodates 155 resident and 26 visitor parking spaces. A Type G and a Type C loading space are proposed to be accessed from Power Street to service the building. Bicycle parking is proposed on the underground and ground levels to accommodate 401 residential and 45 visitor bicycle parking spaces (refer to Attachment 5: Application Data Sheet).

Site and Surrounding Area

The site is located within the block bordered by Power Street to the east, Adelaide Street East to the south, Parliament Street to the west, and Richmond Street East to the north. Currently, a vacant 3-storey printing plant/office building formerly occupied by Sing Tao Daily Limited, and a 4-storey building containing a commercial unit and 12 rental apartment units are situated on the site.

The surrounding uses are as follows:

West: On the west side of Parliament Street are 108 to 130 Parliament Street – 2 to 3-storey townhouses used for commercial and residential purposes; Worts Lane – a “L” shaped public lane that terminates on Richmond Street East; and 134 Parliament Street – a one storey building occupied by Forli Motors Ltd., an auto repair and sales shop.

South: On the south side of Adelaide Street East is 99 to 101 Parliament Street – a 2-storey brick building currently occupied by the Roche Bobois furniture store that fronts on Parliament Street. Further south along Parliament Street is 334 to 340

King Street East - an 8-storey brick commercial and office building originally occupied by the Aluminum & Crown Stopper Company, a listed building on the City of Toronto Inventory of Heritage Properties. On the southwest side of Adelaide Street East is 86 Parliament Street – a 4-storey brick commercial building; 553 Adelaide Street East – a 2-storey brick commercial building; and 330 King Street East – a 14-storey mixed use building.

East: On the east side of Power Street is 51 Power Street, a triangular shaped vacant property used as an unofficial dog park between Richmond Street East and Adelaide Street East owned by the City.

North: 135 Parliament Street – a one storey building occupied by Hertz Rental Cars; 50 to 52 Power Street – 2-storey semi-detached dwellings; and 54 Power Street – a two storey building occupied by Auto City, a used car dealership. Further north, across Richmond Street East is 548 Richmond Street East – a Shell gas station.

Planning Act, Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; and the appropriate location of growth and development, to name a few.

The Provincial Policy Statement (PPS), 2014, which comes into effect on April 30, 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses and providing an appropriate range of housing types and affordability to meet projected and requirements of current and future residents; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the *Planning Act* and the PPS, and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan places the site within the *Downtown and Central Waterfront* on Map 2 - Urban Structure. The Downtown is a growth area and will continue to evolve as a healthy and attractive place to live and work. The site is designated *Regeneration Area* on Map 18 – Land Use Plan. Section 4.7 indicates *Regeneration Areas* are unique areas of the City where a mixture of uses are encouraged, and where strategies and framework for development shall be “tailor-made” based on the specific policies of the Secondary Plan.

Section 3.1.2 – “Built Form” directs new development to fit within the existing and/or the planned context of the neighbourhood. In particular, Policy 3 requires new development to be massed to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and framing adjacent streets and open spaces in a way that respects the street proportion. Policy 4 requires new development be massed to define edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure there is adequate access to sky view. Policy 5 requires new development to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

Section 3.1.3 – “Built Form – Tall Buildings” provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Section 3.2.1 – “Housing” includes policies that encourage the provision of a full range of housing in terms of form, tenure and affordability. In particular, Policy 6 requires new development to replace the existing rental units with at least the same number, size and type of units, and with rents similar to the rents of existing units on the site. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation, and other assistance to lessen hardship.

Section 1.5 – “How to Read the Plan” indicates the Official Plan is a comprehensive and cohesive whole. As such, this application will be reviewed against all policies of the Official Plan. The Official Plan is available at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

King-Parliament Secondary Plan

The site is within the boundary of the King-Parliament Secondary Plan. The main objective of the Secondary Plan is to encourage reinvestment in the area for a mixture of uses that reinforces the historic built form and public realm, while ensuring development is compatible and complementary to the existing built form character and scale of the area. The site is designated *Regeneration Area ‘A’ (Jarvis-Parliament)* on Map 15-1 -

Land Use Plan. The area designated *Regeneration Area 'A'* in the Secondary Plan, generally bordered by Jarvis Street, Queen Street East, Power Street, The Esplanade and Front Street is targeted for significant growth as a whole, having a mixture of compatible land uses (refer to Attachment 3: King-Parliament Secondary Plan).

The built form policies of the Official Plan are further refined in Section 3 – “Urban Structure and Built Form” of the King-Parliament Secondary Plan, where it indicates:

- New buildings for any use will be sited and massed to provide adequate light, view and privacy for neighbouring properties;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, roof line and profile architectural character and expression;
- Buildings adjacent to streets, parks or open spaces will be massed to provide appropriate proportional relationships and will be designed to minimize the wind and shadowing impacts on the streets, parks or open spaces; and
- New development will provide comprehensive, high quality, co-ordinated streetscape and open space improvements to promote greening, landscape enhancement, access, orientation and confidence of personal safety within King-Parliament.

The subject site is also within the *Corktown Area of Special Identity* on Map 15-3 – Areas of Special Identity. The site fronts onto Parliament Street to the west, identified as a *Special Street* on Map 15-1 – Land Use Plan. Further built form and urban design considerations are discussed in the following section of this report.

This application will be reviewed against all policies of the Secondary Plan. The King-Parliament Secondary Plan is available at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/15_king_parliament_dec2010.pdf

King-Parliament Urban Design Guidelines

The King-Parliament Urban Design Guidelines correspond to the policy direction of the King-Parliament Secondary Plan. As noted above, the site is identified within the *Corktown Area of Special Identity*. New development shall respect the historical and urban design significance of the area. Further, Parliament Street is identified as a *Special Street*. The Urban Design Guidelines direct new buildings along Parliament Street to be consistent in general character and scale with the heritage industrial buildings. The King-Parliament Urban Design Guidelines are available here:

http://www1.toronto.ca/city_of_toronto/city_planning/community_planning/files/pdf/14kingparliament.pdf

King-Parliament Community Improvement Plan

The King-Parliament Community Improvement Plan (CIP) is to complement the policies of the King-Parliament Secondary Plan in providing a framework for the improvement of public lands within the King-Parliament area. The *Corktown Area of Special Identity* is indicated as an area that deserves special attention in order to highlight their heritage and historical importance. Parliament Street, as a *Special Street* merits additional attention to its long-term physical improvement. Further, potential Gateways and Open Space Improvements as identified in the CIP, within proximity to the subject lands shall be considered for improvements.

Zoning

The site is zoned RA “Reinvestment Area” with a height limit of 23 metres and certain permission and exception provisions under Zoning By-law 438-86. The RA designation permits a mixture of uses including residential, retail, office and manufacturing uses. Exception provisions for the site include: a massing height of up to 20 metres for the base building, with a 3 metre stepback on subsequent massing height along the Power Street and Adelaide Street East frontages; and a massing height of up to 16 metres for the base building, with the application of an angular plane of 44 degrees on subsequent massing height along Parliament Street.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. *Planning Act* applications submitted after May 9, 2013 are subject to the new Zoning By-law. The eastern portion of the site is zoned CRE (x1), and the western portion of the site is zoned CRE (x2) “Commercial Residential Employment”, with the entire site having a height limit of 23 metres under Zoning By-law 569-2013 (refer to Attachment 4 - Zoning). The CRE zone permits a range of uses similar to the former designation under Zoning By-law 438-86. The (x1) and (x2) provisions refer to site specific exceptions that are carried over from Zoning By-law 438-86.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to

ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=80a70621f3161410VgnVCM10000071d60f89RCRD>

This application will be reviewed against the city-wide Tall Building Design Guidelines, including sections on transition in scale, sunlight and skyview, views from the public realm, floor plate size and shape, tower placement, separation distance, site servicing and access, pedestrian realm and sustainable design.

Tree Preservation

Urban Forestry staff are reviewing the development plans to determine the impact on any existing mature trees. The owner will be required to obtain the necessary permits prior to removing any trees.

Site Plan Control

The application is subject to Site Plan Control. An application for Site Plan Control has not been submitted to date.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council. Council may refuse an application or approve the demolition with conditions that must be satisfied before a demolition permit is issued.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Ontario Municipal Board.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the 12 rental units. The rents for all of the rental units are within the affordable category (below average market rent) at the time of application. Replacement of the units has been proposed under policy Section 3.2.1, Policy 6. The applicant has also proposed to secure the rents for 10 years and the tenure for 20 years as per the policy. The current replacement plan is not yet satisfactory to the City, but staff and the applicant will work towards an acceptable replacement plan, and an acceptable tenant relocation and assistance plan.

Reasons for the Application

The proposal requires an amendment to the Zoning By-law for: an increase in overall height; an increase in base building height; reductions of side and rear yard setbacks; the penetration of the building mass outside the angular plane along the Parliament Street frontage; insufficient private amenity space; and other development standards that will require site specific zoning provisions.

Additional areas of non-compliance may be identified through the circulation and review process.

A Section 111 permit is required to demolish the existing 12 rental units.

COMMENTS

Application Submission

The following reports/studies were submitted with the original and revised application:

- Survey
- Context Plan
- Revised Site Plan
- Revised Floor Plans
- Revised Elevations
- Revised Sections
- Revised Massing Model
- Revised Landscape Plans
- 1 to 50 in Scale Colour Elevations
- Revised Sun/Shadow Study
- Revised Planning and Urban Design Rationale
- Community Services and Facilities Study
- Housing Issues Report and Addendum
- Transportation Impact Study and Letter Update
- Stage 1 Archaeological Resource Assessment
- Revised Functional Servicing Report
- Stormwater Management Report
- Phase 1 Environmental Site Assessment
- Revised Pedestrian Level Wind Study
- Arborist/Tree Preservation Report
- Toronto Green Standard Checklist
- Revised Draft Zoning By-law Amendment

A Notification of Incomplete Application issued on July 5, 2013 identified the outstanding 1 to 50 in Scale Colour Elevation for the original proposal. The outstanding information, along with other revised documents have been submitted as part of the revised application. A Notification of Complete Application was issued on April 23, 2014.

Issues to be Resolved

The latest iteration of the proposal has not addressed significant issues identified by City Planning staff. The following issues are to be addressed:

- Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- Conformity with the Official Plan policies, including the sections on “Downtown”, “Public Realm”, “Built Form”, "Built Form – Tall Buildings", and “Housing”;
- Conformity with the King-Parliament Secondary Plan policies, including the section on “Urban Structure and Built Form”;
- Conformity with the King-Parliament Urban Design Guidelines, including a built form that corresponds with the historical and urban design of the *Corktown Special Identity Area*, and the scale and character of Parliament Street;
- Conformity with the city-wide Tall Building Design Guidelines, including built form concerns on transition in scale, sunlight and skyview, views from the public realm, floor plate size and shape, tower placement, separation distance, site servicing and access, pedestrian realm and sustainable design;
- Overall height of the building;
- Mix and proportion of unit sizes, particularly the provision of family size units;
- Adequacy of indoor and outdoor amenity areas;
- Conversion of office uses to commercial retail and residential uses;
- Public realm improvements, including the need to widen the Parliament Street, Power Street and Adelaide Street East rights-of-way for pedestrian activity;
- Adequacy of community services and parkland in the area;
- Appropriate servicing to accommodate the proposed development;
- The number of resident and visitor parking spaces;
- Assessment of traffic generation and flow, and their impacts to the existing transportation network;
- The location of bicycle parking spaces;

- Conformity to the Toronto Green Standard; and
- The proposed replacement of the 12 residential rental units.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Section 37 Benefits

The Official Plan includes policies pertaining to the exchange of public benefits for increased height and density for new developments pursuant to Section 37 of the *Planning Act*. The applicant is aware that the City intends to apply the Section 37 provisions of the *Planning Act* to this application. Details of a Section 37 Agreement between the applicant and the City will be established if a development is recommended for approval.

CONTACT

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SIGNATURE

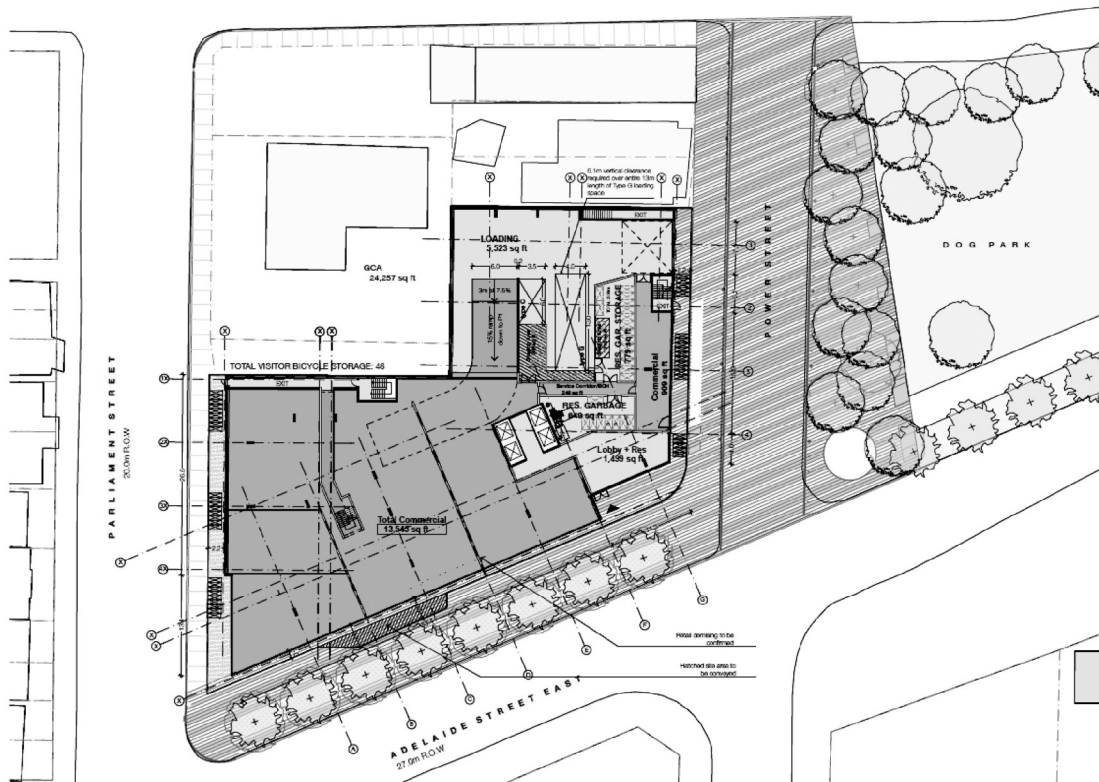
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachments 2a-d: Elevations
Attachment 3: King-Parliament Secondary Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan and Ground Floor Plan

Applicant's Submitted Drawing

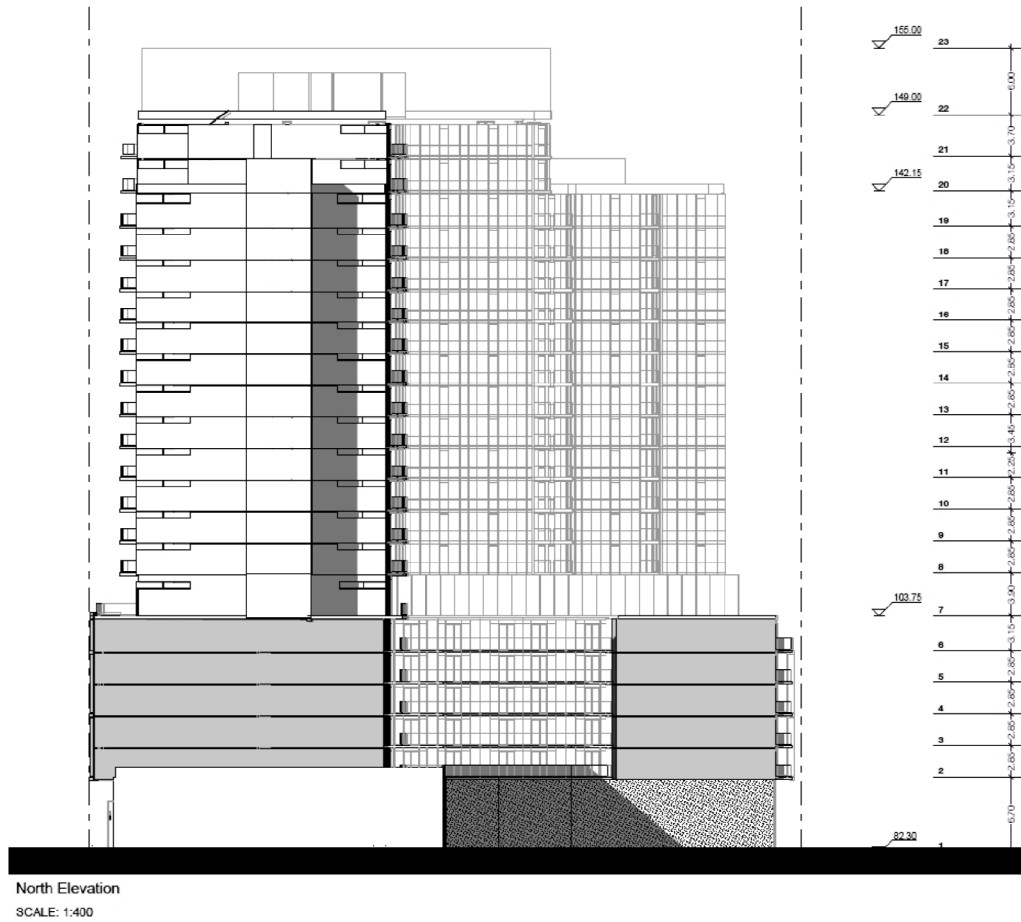
Not to Scale
04/03/2011

46 & 48 Power Street and

113, 115, 121, 123 and 125 Parliament Street

File # 13_181685_STE 28 02

Attachment 2a: North Elevation



North Elevation

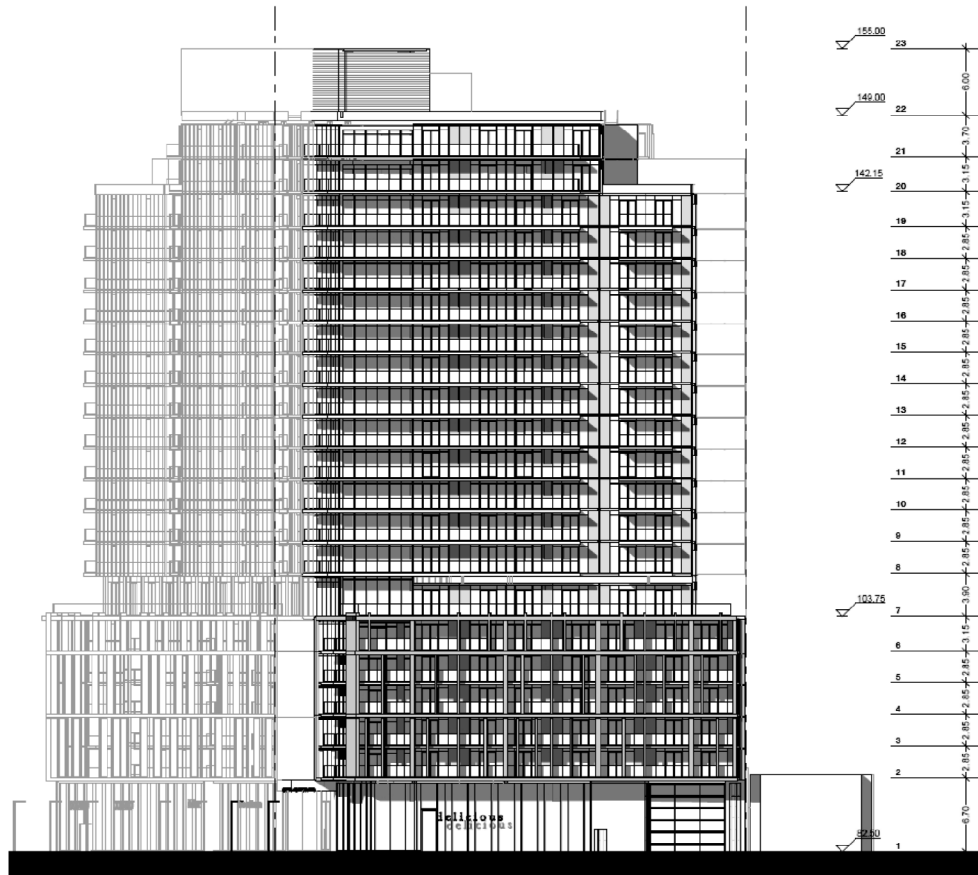
Applicant's Submitted Drawing

Not to Scale
04/03/2014

46 & 48 Power Street and
113, 115, 121, 123 and 125 Parliament Street

File # 13_181685_STE 28 0Z

Attachment 2b: East Elevation



East Elevation
SCALE: 1:400

East Elevation

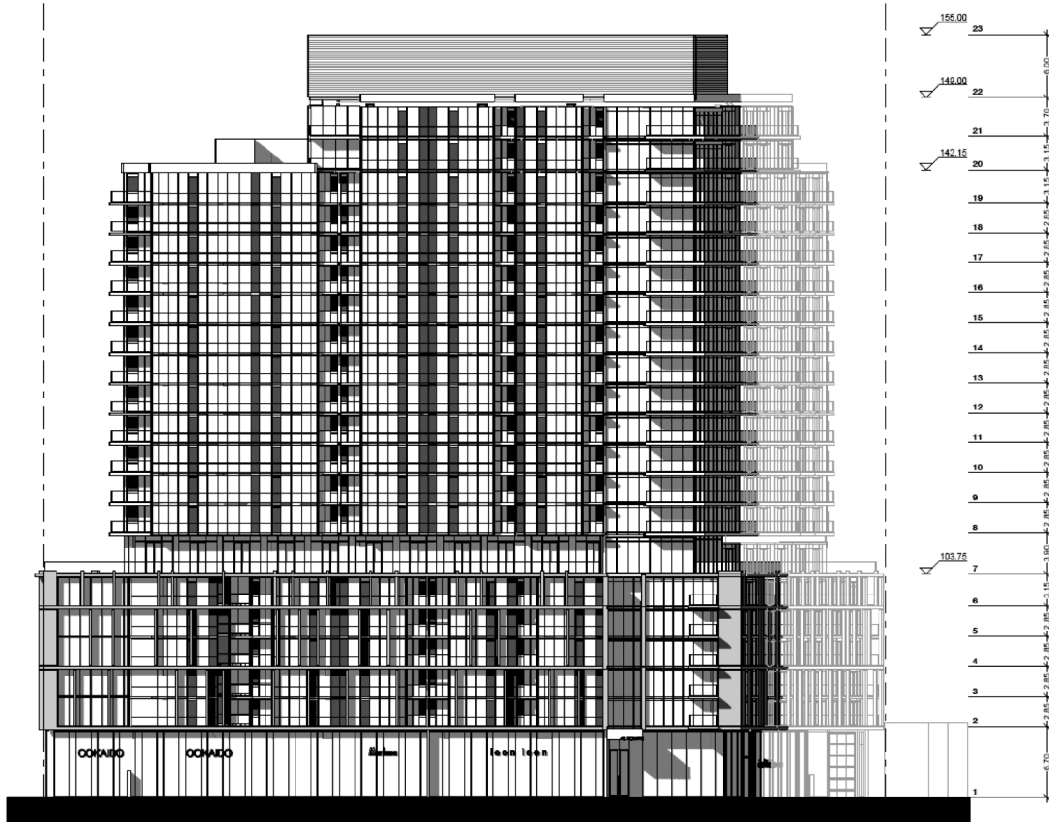
Applicant's Submitted Drawing

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04/03/2014

46 & 48 Power Street and
113, 115, 121, 123 and 125 Parliament Street

File # 13_181685_STE 28 0Z

Attachment 2c: South Elevation



South Elevation
SCALE: 1:400

South Elevation

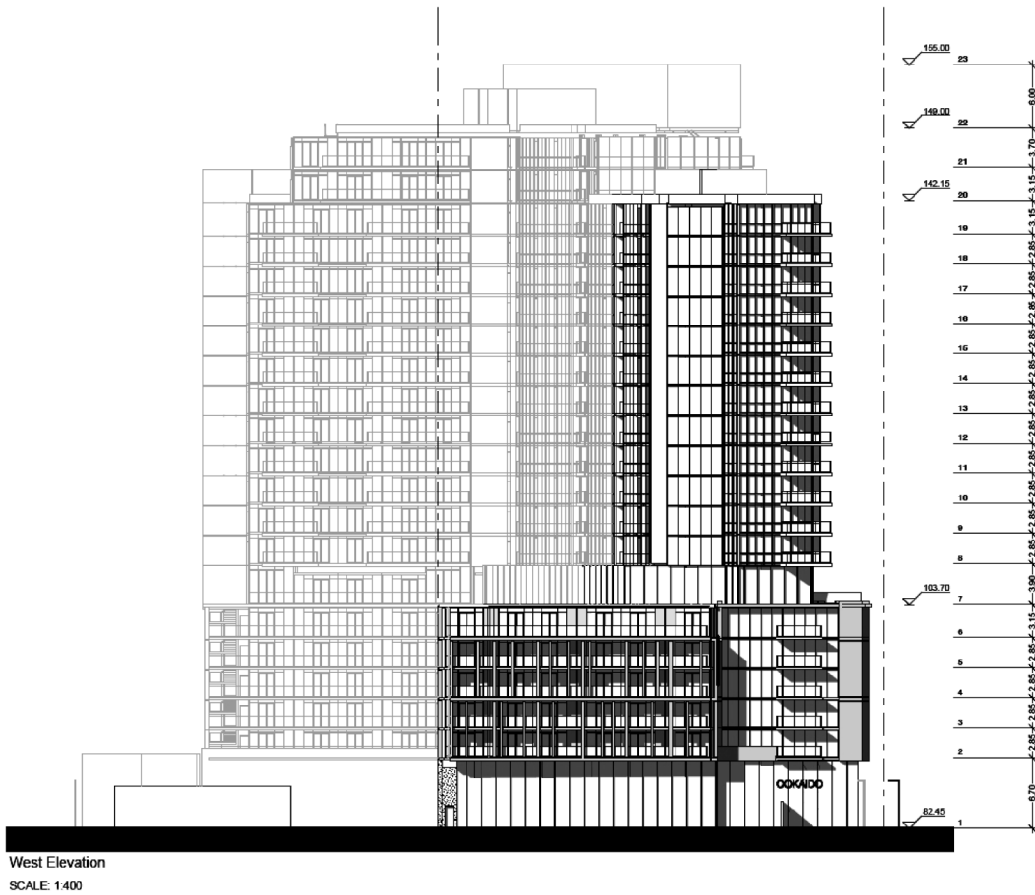
Applicant's Submitted Drawing

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46 & 48 Power Street and
113, 115, 121, 123 and 125 Parliament Street

File # 13_181685_STE 28 02

Attachment 2d: West Elevation



West Elevation

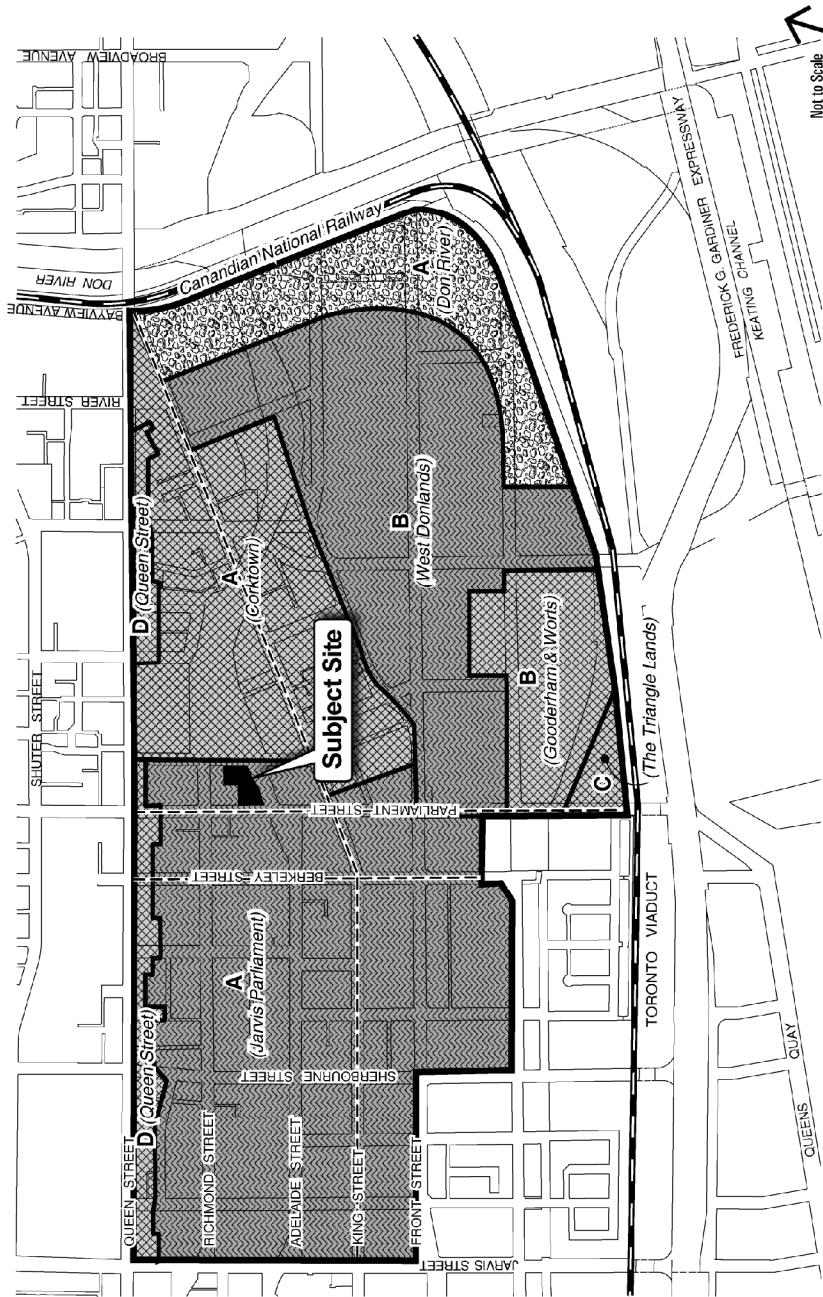
Applicant's Submitted Drawing

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46 & 48 Power Street and
113, 115, 121, 123 and 125 Parliament Street

File # 13_181685_STE 28 02

Attachment 3: King-Parliament Secondary Plan



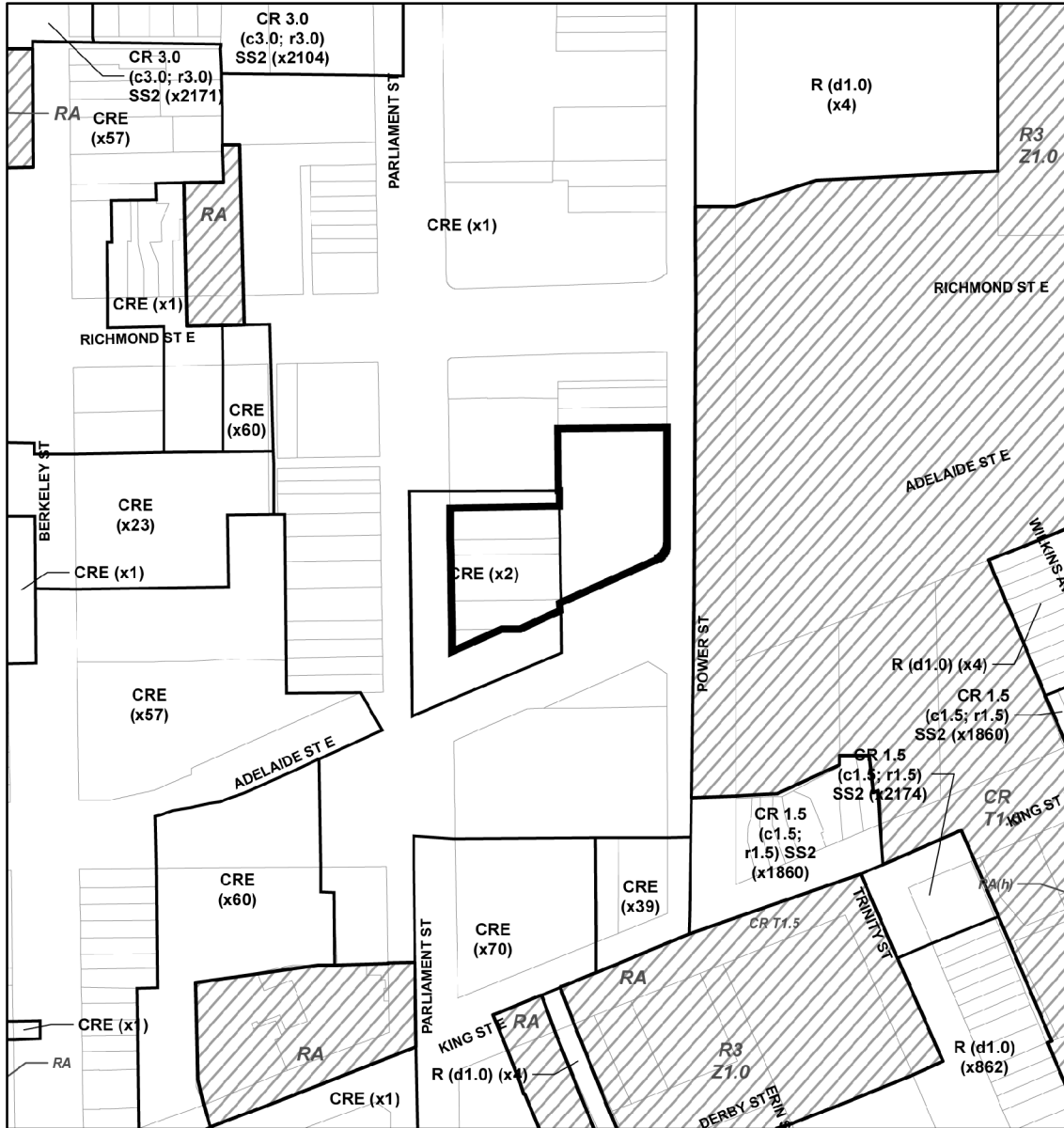
King-Parliament Secondary Plan MAP 15-1 Land Use Plan



- Secondary Plan Boundary
- Mixed Use Areas
- Regeneration Areas
- Parks and Open Space Areas
- Special Streets
- Subject Site : 46 & 48 Power Street and 113, 115, 121, 123 and 125 Parliament Street

June 2006

Attachment 4: Zoning



Zoning By-law 569-2013

**48 Power Street and
113, 115, 121, 123 and 125 Parliament Street
File # 13181685 STE 28 OZ**



Location of Application



See Former City of Toronto Bylaw No. 438-86

R Residential
CR Commercial Residential

CRE Commercial Residential
CR Commercial Residential
I1 Industrial District
R3 Residential District
RA Mixed-Use District



Not to Scale
Extracted: 04/03/2014

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	13 181685 STE 28 OZ
Details	Rezoning, Standard	Application Date:	June 5, 2013
Municipal Address:	46 to 48 Power Street, and 113 to 125 Parliament Street		
Location Description:	PLAN 108 PT LOTS 5, 6 & 7 RP 63R354 PART 1 **GRID S2813		
Project Description:	Application for a 21-storey mixed use building containing street related commercial uses and residential dwelling uses above. The building will be composed of a 6-storey base building and a 15-storey tower. The building will contain a total of 446 residential units, 181 parking spaces and 446 bicycle parking spaces. The existing building at 125 Parliament Street currently contains 12 rental apartment units. All 12 units are proposed to be replaced within the newly constructed building.		

Applicant:	Agent:	Architect:	Owner:
Michael Fox, Great Gulf Limited		TACT Architecture Inc.	Great Gulf (Power) Limited

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	438-86; 569-2013
Zoning:	RA, CRE (x1) (x2)	Historical Status:	N
Height Limit (m):	23	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2570	Height:	Storeys:	21
Frontage (m):	69 (Adelaide St. E.)		Metres:	72.7 (including mech.)
Depth (m):	40.7			
Total Ground Floor Area (sq. m):	2254			Total
Total Residential GFA (sq. m):	28,133		Parking Spaces:	181
Total Non-Residential GFA (sq. m):	1,366		Loading Docks	2
Total GFA (sq. m):	29,499			
Lot Coverage Ratio (%):	88			
Floor Space Index:	11.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental, Condo	Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	28,133
Bachelor:	5 (1.1%)	Retail GFA (sq. m):	1,366
1 Bedroom:	269 (60.3%)	Office GFA (sq. m):	0
2 Bedroom:	136 (30.5%)	Industrial GFA (sq. m):	0
3 + Bedroom:	36 (8.1%)	Institutional/Other GFA (sq. m):	0
Total Units:	446 (100%)		

CONTACT:	PLANNER NAME:	Henry Tang, Planner
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